

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MARCEL RIDDLE and
RYAN COBLEY,

Plaintiffs,

Case No. 2:13-CV-152

v.

HON. GORDON J. QUIST

ROBERT NAPEL, et al.

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

On June 8, 2015, Magistrate Judge Greeley issued a Report and Recommendation (R & R) in which he recommended that the Court deny Defendants' motions for summary judgment as to Defendant Napel and grant the motions as to the remaining Defendants. Defendants have filed an objection, which the Court construes as a request for clarification. Defendants point out that the magistrate judge found that Plaintiff Cobley's claims against Defendant Napel should be dismissed, but that was not made clear in the conclusion of the R & R. Plaintiffs have not filed objections to the R & R.

Having reviewed the R & R and Defendants' request for clarification, the Court will adopt the R & R with the requested clarification. Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge filed June 8, 2015 (dkt. # 69) is **ADOPTED**.

IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Defendants Napel, Heyns, Alexander, Lutgens, Ehle, and Michelin (dkt. #55) is **GRANTED in part and DENIED in part**. Plaintiffs' claims against Defendants Heyns, Alexander, Lutgens, Ehle, and

Michelin, and Plaintiff Cobley's claims against Defendant Napel, are **DISMISSED**. Plaintiff Riddle's claim against Defendant Napel may proceed.

IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Defendant Grant (dkt. #60) is **GRANTED**. The claims against Defendant Grant are **DISMISSED**.

IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Defendants Prokasch-Graves and Kocha (dkt. #64) is **GRANTED**. The claims against Defendants Prokasch-Graves and Kocha are **DISMISSED**.

Dated: July 7, 2015

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE